



Barry Kough/The Salt Lake Tribune

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## Unit's 50th Anniversary

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South Jordan after a 27-year career in the military, is one of at least five Utah veterans of the 442nd Regimental Combat Team who will gather in Hawaii next month to celebrate the unit's 50-year reunion.

After the bombing of Pearl Harbor, Japanese-Americans were given a draft rating of 4-C — or Enemy Alien. They were not subject to the draft and were not permitted to enlist. After two years of petitioning, they were finally allowed to form their own segregated unit.

Roughly 1,500 Hawaiians and 3,000 men from the mainland volunteered, and the 442nd Regiment was activated on Feb. 1, 1943. A number were recruited

■ See C-3, Column 5

gaged in sex acts with Mr. Wallace, Sgt. John Denholm said in a telephone interview Saturday.

Officers also found about 20 home videos of children in sex acts and \$100,000 in photo equipment, Sgt. Denholm said.

"He also apparently had a really big stash of more photos and videos in a van that he lost in a van fire earlier," he said.

Authorities are investigating

Salt Lake City for about a year and moved briefly to Austin with another girlfriend and her daughter, the sergeant said. That former girlfriend still lives in Salt Lake, and Houston detectives interviewed her last week.

Salt Lake City police Lt. Marty Vuyk did not know if Houston authorities had contacted Utah detectives yet, but Sgt. Denholm said they would.

## East Carbon Finds Mining Laws For Landfill Not Written in Clay

By Mike Gorrell

THE SALT LAKE TRIBUNE

The East Carbon landfill continues to generate controversy.

Its creation divided the citizenry of tiny East Carbon City, southeast of Price. The Utah Attorney General's office is looking into the propriety of the East Carbon Development Corp.'s acquisition of state trust lands for the landfill.

Now, an East Carbon Development official is in hot water with the Utah Division of Oil, Gas and Mining and another state agency for the manner in which clay was excavated to line the landfill's garbage pits.

The official, Harold Marston, is fighting back. He persuaded state Sen. Mike Dmitrich, D-Price, to submit a bill stripping the division of its power to regulate clay removal. Without the regulation, clay-mining operations are not required to reclaim, which is returning the land to its natural state when mining is done.

"I don't want to disobey their laws, but if I disagree with their laws, I'll take legislative action to change those laws. It's the American process at work," said Mr. Marston, the East Carbon landfill's vice president of operations.

Added Mr. Dmitrich: "I'm looking out for an industry in Carbon County. Why should we have government overseeing every little thing that's going on?"

Mr. Dmitrich bristled at the suggestion of a link between the legislation and \$2,500 in contribu-

tions to his last election campaign from landfill owners and officers.

"I hate the insinuation that I'm going to introduce a bill just because somebody contributes \$1,000 to my campaign. If I did that, we'd be up here all year. I raised a lot of money this year," said Mr. Dmitrich. His financial-disclosure records list 105 contributions totaling \$32,475.32 for a victorious race against Republican Rep. David Adams.

Mr. Marston also said the bill will not benefit just his company, but have statewide consequences since federal environmental regulations soon will require the use of clay or synthetic linings in earthen dams, sewer lagoons and other holding facilities.

That is precisely why Oil, Gas and Mining acting director Lowell Braxton believes "there will be a loss to the environment and a loss to the citizens of Utah to start making exemptions" like that proposed by Sen. Dmitrich. "The potential for clay mining in Utah is fairly extensive. . . . We want to have the industry, but we want to have disturbances associated with the industry properly reclaimed."

He will not discuss the Marston case because it will be the subject of a Feb. 24 hearing before the division's governing board, but division records outline events leading to the showdown.

Mr. Marston notified the division in May 1992 of his intention to extract clay on less than five

■ See C-2, Column 4



## Program Provides Hope to Family That Boy Will Get an Education

By Samuel A. Autman

THE SALT LAKE TRIBUNE

Ten-year-old Mikel Clow is a classic at-risk student.

The fourth-grader has cerebral palsy. His short attention span, walking braces and slurred speech make life at Ogden's Lincoln Elementary School more difficult than for other students.

When his frustrations mount, he has explosive temper tantrums that often anger his former crack-addict

light chance of showers will also cover the Cedar City or a 30% chance of snow Monday winds. Manti could drop to Snow is expected to develop rains.

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HERE IN U.S.

Mr. Campbell has no history of violence. Yet, when arrested, he and Mr. Moll were well-prepared to wreak havoc, prosecutors claim.

Police found two guns in the suspects' van. Prosecutors claim Mr. Campbell strapped an ice pick to his arm. The suspects also brought "fishwhackers," small billy clubs, to beat and subdue the victim, contends investigator Mi-

Mr. Moll, the co-defendant, claims he went along with the kidnap plan because of "financial desperation." Mr. Moll suffered a cocaine-induced stroke several years ago, is partially paralyzed and may have mental limitations, said defense attorney Brooke Wells.

Mr. Campbell is the alleged

nap attempt, police watched Harry Campbell's every move. Unbeknownst to the suspects, police also had the getaway van equipped with lights visible from the air and a remote-control engine shut-off switch.

When the kidnappers arrived in the victim's neighborhood, police simply killed the van's engine and closed in.

## E. Carbon Landfill Finds Mine Laws Not Written in Clay

Continued from C-1

acres of land owned by his family in southern Carbon County.

In September, when division reclamation specialist Holland Shepherd inspected the site, he found that 17 acres had been disturbed. The larger area required Mr. Marston to submit a large-mine permit application and to post a surety bond guaranteeing reclamation of the land.

The division also learned that work had been done without permits from several other agencies.

Mr. Marston had been issued trespass notices by the U.S. Bureau of Land Management and the Utah Division of State Lands and Forestry for grading a road across their lands to the site.

In addition, the clay-mining operation had violated Utah Division of Water Rights' regulations by taking water from the Price River to mix with the clay.

Mr. Marston satisfied the concerns of the Division of Water Rights and the BLM, but his troubles with the other two state divi-

sions persisted.

Oil, Gas and Mining officials ordered Mr. Marston to appear before the board when he failed to submit a reclamation plan and post a \$3,700 bond. They claimed Mr. Marston did not respond to two verbal requests for the materials after the Dec. 18 deadline.

Similarly, State Lands and Forestry lands specialist Gary Bagley said Mr. Marston has applied for a right-of-way permit, but is a month overdue in responding to division requests for information about the road.

If Mr. Marston cannot prove the road existed before his mining operation began, he would be trespassing and his fine could be tripled to more than \$1,000. He also may be brought before the Board of State Lands and Forestry to explain his lack of compliance, Mr. Bagley said. "The ball's in his court. I don't mean to badger him, but he has to follow the rules. If we didn't have the rules, people would be out there [cutting roads] everywhere."

The whole situation makes Mr. Marston livid.

"It's a bunk deal, a nothing

deal. It's an arbitrary and capricious [enforcement] of the law that would not have been considered if I wasn't involved in East Carbon Development." He accused landfill opponents of calling attention to his operation.

"The amount of manpower and the time I've wasted to date is obscene," he added. "You go see what [Oil, Gas and Mining] has spent on this deal and see if the value of the ground justifies it."

Mr. Marston blamed a contractor for the failure to post the Oil, Gas and Mining bond on time and for the run-ins with the other agencies. He also thought State Lands and Forestry's concerns were satisfied with his pledge to narrow the access road and revegetate disturbed areas as soon as the snow melts.

For his part, Sen. Dmitrich hopes his legislation will free people like Mr. Marston from unwarranted government interference.

"Clay is a natural resource, but it's all over the place," he said. "[Mr. Marston] has improved that desert 100%. The only thing that goes out there now is antelope."

## 47% of Students May Qualify Under At-Risk Plan

Continued from C-1

now offered in kindergarten through third grade would extend through to sixth-graders. Each school would have a case-management team — comprising representatives from mental health, social work, educators and the health department — working together to help troubled students.

Another \$200,000 is targeted for the newly created Healthy Start program, which identifies high-risk youngsters, whose family life could lead to child abuse and neglect. Officials are searching for a hospital to participate.

The remaining \$500,000 is targeted to expand interagency councils, designed to troubleshoot when site-based management teams do not have enough resources to solve an individual

## Program Increases Boy's Shot at an Education

Continued from C-1

her one more chance," Ms. Lemmon said about her daughter. Now Ms. Malan is preparing to undergo a drug rehabilitation program.

Ms. Lemmon draws help from the Mental Health Department and the Department of Human Services. She praises Lincoln's Partners for Success at-risk program for keeping Mikel from falling between the cracks. School counselors visit with Mikel whenever needed. Through Medicaid, Primary Children's Medical Center in Salt Lake City provides necessary medical treatment. Handicap Services keeps

for the agencies."

Mikel lives with his grandmother in an Ogden trailer park. Until recently, Mikel's sister, 7-year-old Tessy Lee Malan, a first-grader at Club Heights Elementary, also lived with them. Ms. Lemmon did not have enough time or money to fight for custody of Tessy, who is now with her father.

With money from her husband's pension, her part-time beauty business, Social Security for Mikel and child support, Ms. Lemmon says she manages to get by. Recently, she fell and severely injured her back. Now, the bed-ridden woman is depending on her daughter, Ms. Malan, to keep the home